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[Additional defendants and counsel listed on signature pages]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

) Master File No. M07-1827 SI

) MDL No. 1827

This Document Relates to:

) CLASS ACTION

All Actions

) **STIPULATION AND [PROPOSED]
ORDER REGARDING PROCEDURES
GOVERNING EXPERT DISCOVERY**

1 The Direct Purchaser Plaintiffs, Indirect Purchaser Plaintiffs and Defendants agree as
2 follows regarding the timing and scope of any expert discovery in this case, and hereby agree and
3 submit this stipulation and proposed order:

4 1. Subject to the provisions of paragraph 2 herein, within 3 business days of any
5 party serving any expert reports and/or expert declarations in this case pursuant to Fed. R. Civ. P.
6 26(a)(2)(B), the party or parties proffering the expert witness shall produce all other documents
7 and/or information required by Rule 26(a)(2)(B), namely “the data or other information
8 considered by the witness in forming the [expert’s] opinions; any exhibits to be used as a
9 summary of or support for the opinions; the qualifications of the witness, including a list of all
10 publications authored by the witness within the preceding ten years; the compensation to be paid
11 for the study and testimony; and a listing of any other cases in which the witness has testified as
12 an expert at trial or by deposition within the preceding four years.” “[D]ata or other information
13 considered” shall include, but is not limited to, raw data, spreadsheets, computerized regression
14 analyses and/or other underlying reports and schedules sufficient to reconstruct the expert’s work,
15 calculations, and/or analyses. Information can be produced electronically (via email or disc)
16 where appropriate. Any schedules, charts, tables, or other graphical presentations used to
17 summarize or support the expert’s opinion or relied on by the expert shall be produced in native,
18 electronic format using commercially available software. Where documents have previously
19 been produced as part of the discovery in this case, a list of such documents by Bates number is
20 sufficient. As to other documents considered by the expert, those documents should be produced
21 except where widely-available publicly without undue expense (such as on the internet, or in
22 major university libraries).

23 2. The following types of information shall not be the subject of discovery: (1) the
24 content of communications among and between: (a) counsel and expert; (b) counsel and experts’
25 staff; (c) experts and other experts or consultants; and/or (d) experts and their respective staff, and
26 (2) notes, drafts, or other types of preliminary work created by, or for, experts. The foregoing
27 exclusions from discovery do not apply to any communications or documents, upon which the
28 experts rely as a basis for their opinions/reports. The foregoing exclusions also do not apply to

1 data or documents obtained from a defendant or a third party that are provided to the expert and
2 which the expert considered in forming the expert's opinions.

3 3. This Stipulation shall be effective only upon agreement of the Direct Purchaser
4 Plaintiffs, the Indirect Purchaser Plaintiffs, and the Defendants.

5 Dated: October 9, 2008

/s/ Francis O. Scarpulla

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2 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of
3 this document has been obtained from: Francis O. Scarpulla, Joseph M. Alioto, Bruce L. Simon,
4 Richard M. Heimann, Christopher A. Nedeau; Steven F. Cherry, Joel S. Sanders, Kevin C.
5 McCann; Hugh F. Bangasser; Kent M. Roger; Michael R. Lazerwitz; George D. Niespolo; James
6 L. McGinnis; Jacob R. Sorensen, Bruce H. Jackson and Wayne A. Cross.
7
8

9 SO ORDERED.

10
11
12 DATED: 10/10/08



Honorable Susan Illston
United States District Judge